

A RESOLUTION

02- *R*-0556

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE
AMOUNT OF \$2,603.68 IN SETTLEMENT OF THE CLAIM
OF KIMBERLY A. WATTERS AGAINST THE CITY OF
ATLANTA**

WHEREAS, Kimberly A. Watters has filed a claim against the City of Atlanta seeking damages arising out of damages sustained to her vehicle after driving into a severe depression in the roadway due to a collapsed sewer mainline ; and

WHEREAS, the City of Atlanta had received notice of this hazardous condition to the incident involving the claimant, but failed place the proper warning devices to alert the motoring public; and

WHEREAS, the construction and maintenance of public roads is a ministerial function and therefore this claim is not subject to a defense of sovereign immunity under the laws of the State of Georgia; and

WHEREAS, the claimant has asserted damages in the amount of \$2,603.68 and has agreed to accept this sum in full and complete satisfaction and settlement of her claim against the City of Atlanta; and

WHEREAS, the City Attorney has recommended that the claim of Kimberly A. Watters be settled for the sum of \$2,603.68.

THEREFORE, BE IT RESOLVED that the Council of the City of Atlanta, Georgia that \$2,603.68 be paid by the City of Atlanta in satisfaction of any and all claims Kimberly A. Watters may have stemming from damages sustained to her vehicle on or about October 19, 2001 at Spring Street and Abercrombie Place.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 2J01/529017/T31001.